

EL963273671US

KONG-22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ling Y. Cheung  
Application No. : 10/717,143 Confirmation No. : 7253  
Filed : November 18, 2003  
For : METHODS AND COMPOSITIONS FOR  
TREATING GASTRITIS  
Examiner : Randall O. Winston  
Group Art Unit : 1654

New York, New York  
March 1, 2005

Mail Stop Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b) and (c)**

ULTRA BIOTECH LIMITED, a corporation having a place of business at 2<sup>nd</sup> floor, 60 Circular Road, Douglas, Isle of Man, IM1 1SA, represents that it is the assignee of record of the entire right, title and interest, by assignment, of the following:

1. United States Patent Application No. 10/717,143 ("the '143 application"), for "METHODS AND COMPOSITIONS FOR TREATING GASTRITIS," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '143 application was recorded in the United States Patent and Trademark Office on April 28, 2004 at Reel/Frame 015268/0666.

2. United States Patent No. 6,709,849 ("the '849 patent"), for "DIETARY SUPPLEMENTS FOR REGULATING MALE HORMONE," issued on 03/07/2005 AWDNDAF1 00000108 10717143

Application No. 10/187,113 ("the '113 application"), filed June 28, 2002. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '113 application was recorded in the United States Patent and Trademark Office on January 7, 2003 at Reel/Frame 013631/0563.

3. United States Patent Application No. 10/717,132 ("the '132 application"), for "METHODS AND COMPOSITIONS FOR TREATING GASTROPARESIS," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '132 application was recorded in the United States Patent and Trademark Office on April 28, 2004 at Reel/Frame 015268/0043.

4. United States Patent Application No. 10/717,136 ("the '136 application"), for "METHODS AND COMPOSITIONS FOR TREATING VASCULAR DEMENTIA," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '136 application was recorded in the United States Patent and Trademark Office on April 28, 2004 at Reel/Frame 015268/0037.

5. United States Patent Application No. 10/717,133 ("the '133 application"), for "METHODS AND COMPOSITIONS FOR TREATING NEPHROTIC SYNDROME," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '133 application was recorded in the United States Patent and Trademark Office on April 29, 2004 at Reel/Frame 015273/0218.

The undersigned, on behalf of ULTRA BIOTECH LIMITED, hereby disclaims the terminal portion of any patent granted on the '143 application which

would extend beyond the expiration date of the '849 patent, or any patent to be granted on the '132, '136 or '133 application.

The undersigned, on behalf of ULTRA BIOTECH LIMITED, agrees that any patent so granted on the '143 application shall be enforceable only for and during such period that said patent is commonly owned with the '849 patent, and any patent to be granted on the '132, '136 or '133 application, and that this terminal disclaimer is binding upon the grantee of any patent to be granted on the '143 application and its successors and assigns.

The undersigned, on behalf of ULTRA BIOTECH LIMITED, does not disclaim any terminal portion of any patent granted on the '143 application prior to the full statutory term of the '849 patent, and any patent to be granted on the '132, '136 or '133 application, in the event that the '849 patent, or any patent to be granted on the '132, '136 or '133 application subsequently (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), (e) has all claims canceled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

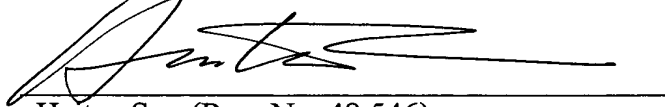
The undersigned hereby states and certifies that:

1. The undersigned is an agent of record in the '143 application and is authorized to act on behalf of assignee corporation in connection with said application; and

Appln. No. 10/717,143  
Terminal Disclaimer dated March 1, 2005  
Response to December 2, 2004 Office Action

2. The above-identified assignment documents have been reviewed and, to the best of the undersigned's knowledge and belief, title to the '143 application, the '849 patent, and the '132, '136 and '133 applications is in assignee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Haitao Sun', is written over a horizontal line.

Haitao Sun (Reg. No. 48,546)  
Agent for Applicant

Fish & Neave IP Group  
Ropes & Gray LLP  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000